

receiving a signal from the motion detector indicating a triggering event and causing the flash to flash if necessary and causing the shutter to form an exposure on the film.

27. The method of claim 26, further comprising causing the camera to take a pre-determined number of exposures per triggering event.

28. The method of claim 26, further comprising causing a test light to blink when the motion detector is triggered but not causing the camera to expose any film.

29. The method of claim 26, further comprising ignoring any triggering event signals received from the motion detector until a pre-determined amount of time has elapsed.

### **REMARKS**

Applicant has carefully reviewed and considered the Office Action mailed on February 21, 2002, and the references cited therewith.

Claims 1, 3, 9, 11, and 23 are amended. Claims 1-29 are pending in this application.

### **Information Disclosure Statement**

Applicant respectfully requests that a copy of the 1449 Form, listing all references that were submitted with the Information Disclosure Statement filed on February 12, 2002, marked as being considered and initialed by the Examiner, be returned with the next official communication.

### **§103 Rejection of the Claims**

Claims 1-9, 11, 12, 14-18, 19, 20 and 22-29 were rejected under 35 USC § 103(a) as being unpatentable over House et al. (U.S. 5,878,283) in view of Nakai et al. (U.S. 5,666,582) and Reidt et al. (U.S. D439,591).

House et al. discusses a camera which includes an accelerometer within the camera body

to detect motion of the camera itself. The motion of the camera then sets off the camera. Nakai et al. is directed to a casing for a camera. Reidt et al. is directed to a conventional motion sensor camera in which an off-the-shelf flash camera is configured into a housing having a motion detector. (See Fig. 8). Even if combined, none of these references include features allowing a user to maximize the utility of a motion detector camera depending on its specific use.

Claims 1-8

Claim 1 has been amended to clarify the differences between the references and the claimed invention. Applicant believes claim 1 is not obvious in view of the cited references since there is no suggestion or motivation to combine the cited references to provide the subject matter recited in claim 1. For instance, claim 1 recites a motion detector camera which includes a housing having a "mounting member in a bottom surface for mounting the housing to a tripod and having attachment features for attaching the housing with a band to a supporting structure," the housing having a film advance mechanism located within the housing for automatically advancing a film of the camera after each exposure; a wide angle lens attached to the housing and exposed on a front surface of the housing; "a motion detector attached to a front surface of the housing, the motion detector adapted to detect motion occurring away from the housing;" a flash attached to the housing; and a controller for controlling the flash and a shutter of the camera, wherein the controller receives a signal from the motion detector indicating a triggering event and the controller causes the flash to flash if necessary and causes the shutter to form an exposure on the film.

Applicant submits that there is no motivation to combine the cited references to provide such subject matter. Again, House et al. is directed to a camera which activates when the camera itself moves, not when it senses movement away from a camera, while Reidt is directed to a conventional motion detector camera. The Reidt system is a different concept than the camera of House and one skilled in the art would not look to one field to solve a problem in the other field.

Moreover, the main reference, House et al., teaches away from incorporating either a "mounting member in a bottom surface for mounting the housing to a tripod," or "a motion detector attached to a front surface of the housing, the motion detector adapted to detect motion occurring away from the housing." The House et al. camera is used to detect motion of the

camera itself. Mounting it to a tripod or configuring it to detect motion occurring away from the camera would destroy the stated purpose of the House et al. reference, which is to provide a "camera-motion activated camera." (Col. 2, lines 1-2). Applicant notes that if a proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification. *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984); MPEP § 2143.01.

Claims 2-8 include all the limitations of parent claim 1 and are therefore also not obvious in view of the cited references. Moreover, regarding claim 2, Applicant cannot find the subject matter recited therein in any of the cited references, even if combined. For instance, the "controller is programmable to cause the camera to take a pre-determined number of exposures per triggering event." None of the references discuss such subject matter. Among other advantages this allows the camera to be used to capture a rapid series of an animal's movements on a game trail, for instance.

Claim 4 recites a test light attached to the housing, wherein when the controller is put into a testing state the controller causes the test light to blink when the motion detector is triggered but the controller does not cause the camera to expose any film. Again, none of the references discuss such subject matter. This subject matter allows the user to test the functionality of the camera and then feel assured that it is functioning correctly while the user is away from the camera.

Claim 6 recites "wherein when put into a pause state, the controller ignores any triggering event signals received from the motion detector until a pre-determined amount of time has elapsed." This provides that a user can modify the camera so that it ignores events that happen in quick succession.

All these and other claimed features allow the present camera to be used for different situation depending on what the user expects to happen. On a game trail, burst or pauses may be needed depending if deer, bear, or other animal, is going to be pictured. Moreover, if used as a security camera, pauses between pictures may be needed. The subject matter of these dependent claims provides a full-featured motion detector camera, and there is simply no suggestion in any of the references to provide such features.

Absent any specific teaching, Applicant assumes the Examiner is taking Official Notice of the subject matter of the above recited dependent claims. Accordingly, Applicant traverses and requests that the Examiner point out the subject matter relied upon to support the obviousness rejection, as recommended by MPEP 706.02(j), or provide a reference under MPEP 2144.03. Reconsideration and allowance is respectfully respected.

Claims 9, 11, 12, 14-20, and 22

Claim 9 has been amended to better describe the subject matter recited in the claim. Applicant believes claim 9 is not obvious in view of the cited references since, as discussed above, there is no suggestion or motivation to combine the references. Moreover, even if combined, the references lack all the limitations recited in the claim. For instance, claim 9 recites a motion detector camera which includes a camera mechanism located within a first section of a housing and a motion detector exposed on a front surface of the housing to detect motion occurring away from the housing, and "a flash attached to the housing and separated from the camera mechanism wherein the flash is not a separate integral unit with the camera mechanism and is remote from the first section of the housing." None of the recited references either discuss or suggest such subject matter. In contrast, they all show flashes coupled directly to a camera mechanism. As pointed out in the specification "[t]ypically, motion detector cameras have a conventional, third-party 35 mm camera mounted within a housing and are thus constricted as to the options the camera can provide. Here, the separate, yet all-in-one, structure of motion detector camera 100 allows flash 108 to be larger than in conventional 35 mm cameras while still providing the portable structure provided by including all the necessary picture taking components within a single housing 102." (Page 5, line 25 - page 6, line 2).

Dependent claims 11, 12, 14-20, and 22 include all the limitations of parent claim 9 and are therefore also not obvious in view of the cited references. Applicant has amended claim 11 to describe further details of the separation between the flash and the camera mechanism. Moreover, the other dependent claims recite subject matter allowing for ease of use and extra utility of the camera. For instance, claim 14 recites that the motion detector is adapted to detect motion up to 50 feet away from the housing and has a 110 degree angle coverage. Claim 15

recites that the flash has a range of at least 23 feet. Claim 16 recites that the controller is programmable to cause the camera to take between 1 and 9 bursts of exposures per triggering event. Claim 17 recites that the controller is programmable to ignore any triggering event signals received from the motion detector until a pre-determined amount of time has elapsed. Applicant cannot find this subject matter in the cited references. As discussed above, these and other features allow the present camera to be used for different situation depending on what the user expects to happen. On a game trail, burst or pauses may be needed depending if deer, bear, or other animal, is going to be pictured. Moreover as a security camera, pauses may be needed.

As noted above, Applicant assumes the Examiner is taking Official Notice of the subject matter of the above recited dependent claims. Accordingly, Applicant traverses and requests that the Examiner point out the subject matter relied upon to support the obviousness rejection, as recommended by MPEP 706.02(j), or provide a reference under MPEP 2144.03. Reconsideration and allowance is respectfully respected.

#### Claims 23-25

Applicant has amended claim 23 to better describe the recited subject matter. Applicant believes claim 23 is not obvious in view of the cited references since, even if combine, the cited references do not discuss each limitation of the claim. For instance, Applicant cannot find in the references "selectively placing the motion detector camera into one or more of a burst state, a pause state, and a test state," then receiving a signal from a motion detector; and "if in the burst state, sending a signal to a camera mechanism to cause the camera mechanism to take a pre-determined number of pictures in rapid succession, or "if in the pause state, ignoring the signal from the motion detector until a pre-determined amount of time has passed," or "if in the test state, sending a signal to a test light to cause the test light to flash while not sending any signals to the camera mechanism which would cause the camera mechanism to take a picture." Again, such subject matter allows for a more full-featured motion detector camera having multiple uses and allowing a user to tailor it as he sees fit. Applicant again requests that the Examiner point out the subject matter relied upon to support the obviousness rejection, as recommended by MPEP 706.02(j), or provide a reference under MPEP 2144.03. Reconsideration and allowance is

respectfully respected.

Claims 24 and 25 include each limitation of parent claim 23 and are therefore not obvious in view of the cited references. Reconsideration and allowance is respectfully requested.

Claims 26-29

Applicant traverses the rejection of claim 26 since, even if combined, the cited references do not discuss each limitation of the claim. For instance, Applicant cannot find in the references a method including providing a motion detector camera having "a motion detector attached to a front surface of the housing, the motion detector adapted to detect motion up to 50 feet away from the housing, and a flash attached to the housing and having a range of at least up to 23 feet," as recited in the claim. As noted above, House et al. does not detect motion except for motion of the camera itself, while the Reidt reference shows an on-the-shelf flash camera within a motion detector system. In contrast, the present claim allows for a flash having a range of up to 23 feet, and a motion detector having a range of up to 50 feet. This subject matter is not discussed, enabled, nor suggested by any of the references.

Claims 27-29 include each limitation of parent claim 23 and are therefore not obvious in view of the cited references. Reconsideration and allowance is respectfully requested.

Claims 10, 13, and 21

Claim 10 was also rejected under 35 USC § 103(a) as being unpatentable over House et al. in view of Nakai et al., Reidt et al. and Korling (U.S. 4,341,451).

Claim 13 was also rejected under 35 USC § 103(a) as being unpatentable over House et al. in view of Nakai et al., Reidt et al. and Scerbo, III (U.S. 5,400,158.)

Claim 21 was also rejected under 35 USC § 103(a) as being unpatentable over House et al. in view of Nakai et al., Reidt et al. and Rydelek (U.S. 5,729,769).

Claims 10, 13, and 21 include each limitation of parent claim 9. Applicant submits that the claims are not obvious in view of the cited references since the cited references do not overcome the deficiencies of the primary references discussed above regarding claim 9. Reconsideration and allowance is respectfully requested.

AMENDMENT AND RESPONSE UNDER 37 CFR § 1.111

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Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (612-359-3267) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner of Patents, Washington, D.C. 20231, on this 21st day of June, 2002.

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